

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LEAMON JOYNER,

Plaintiff,

v.

1:05-CV-0675
(GLS/GHL)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

ERWIN MCCANE & DALY
Attorneys for Plaintiff
23 Elk Street
Albany, New York 12207

THOMAS C. ERWIN, ESQ.

GEORGE H. LOWE, United States Magistrate Judge

**ORDER ON APPLICATION TO PROCEED WITHOUT
PREPAYMENT OF FEES IN A SOCIAL SECURITY CASE**

Having considered Plaintiff's application to proceed without prepayment of fees and costs under 28 U.S.C. § 1915 (Dkt. No. 2), it is hereby

ORDERED that Plaintiff's application is **GRANTED**, and that Plaintiff is entitled to proceed without the prepayment of fees and costs;¹ and it is further

ORDERED that the Clerk of the Court is directed to issue a summons and a copy of General Order 18, and send them to Plaintiff's attorney, along with a copy of Plaintiff's

¹ Plaintiff should note that "[t]he granting of an *in forma pauperis* action shall in no way relieve the party of the obligation to pay all other fees for which such party is responsible regarding such action, including, but not limited to, copying and/or witness fees." N.D.N.Y. L.R. 5.4(a). In addition, Plaintiff should note that "[j]udgment may be rendered for costs at the conclusion of the suit, but the United States shall not be liable for any of the costs thus incurred. If the United States has paid the cost of a stenographic transcript or printed record for the prevailing party, the same shall be taxed in favor of the United States." 28 U.S.C. § 1915(e).

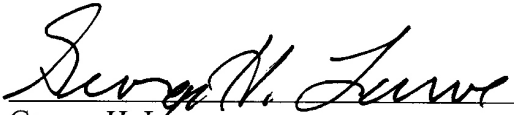
Complaint (Dkt. No. 1) and a copy of this Order; and it is further

ORDERED that Plaintiff's attorneys are directed to serve a copy of the summons,

Complaint, General Order 18, and this Order, upon:

1. The United States Attorney for the Northern District of New York, P.O. Box 7198, 100 South Clinton Street, Syracuse, New York 13261-7198 in accordance with Rule 4(i)(1)(A) of the Federal Rules of Civil Procedure;
2. The United States Attorney General, Constitution Avenue & 10th Street, N.W., Washington D.C. 20530 by **registered or certified mail** in accordance with Rule 4(i)(1)(B) of the Federal Rules of Civil Procedure; and
3. The Commissioner of Social Security, Office of General Counsel, Room 611, Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235 by **registered or certified mail** in accordance with Rule 4(i)(2)(A) of the Federal Rules of Civil Procedure.

Dated: June 8, 2005
Syracuse, New York


George H. Lowe
United States Magistrate Judge